

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA)
)
 v.) Criminal No. 04-52 Erie
)
YAKEEN ROGERS)

**MOTION TO EXTEND THE TIME FOR THE
FILING OF PRETRIAL MOTIONS**

AND NOW, comes the defendant, YAKEEN ROGERS, by his attorney, Thomas W. Patton, Assistant Federal Public Defender, and respectfully moves this Honorable Court for an Extension of Time to File Pretrial Motions, and in support thereof sets forth as follows:

1. The defendant, Yakeen Rogers, has been charged in a one-count indictment with violation of Title 21, U.S.C. §§ 841(a)(1) & 841(b)(1)(B)(iii); possess with intent to distribute and distribute five (5) grams or more of cocaine base.

2. Pursuant to an Order of Court dated August 2, 2005, certain types of pretrial motions were due on August 31, 2005.

3. The parties are continuing to negotiate a settlement of this matter which, if successful, will obviate the need for pretrial motions.

4. It would be prejudicial to defendant to not have the opportunity to file pretrial motions in the event that this matter cannot be resolved through a plea agreement process.

5. Accordingly, counsel requests an additional thirty (30) within which to file pretrial motions.

WHEREFORE, defendant, Yakeen Rogers, respectfully requests an extension of thirty (30) days to file pretrial motions.

Respectfully submitted,

/s/ Thomas W. Patton

Thomas W. Patton

Assistant Federal Public Defender

PA ID #88653